

PRESIDENT. It was wrong in the pursuer to conceal that there was money in the packet.

HAILES. It behoved him to conceal it; for, had he not done so, it would not have been conveyed by the stage-coach. The fact is, that, for the saving of three shillings and sixpence by a cheap conveyance, he has, according to his own account, lost two hundred pounds.

On the 6th February 1787, "The Lords assoilyied, and found expenses due."
Act. Ch. Hope. Alt. J. M'Laurin.
Reporter, Eskgrove.

1787. February 7. JAMES ROBERTSON and OTHERS *against* CHARLES M'GLASHAN.

BILL OF EXCHANGE—PRESCRIPTION.

Bills now retain their extraordinary privileges for six years.

[*Fac. Coll. IX. 477; Dict. 11,129.*]

JUSTICE-CLERK. The bill is drawn on M'Glashan as *trustee*, but it is accepted simply, and so is binding on the acceptor, although it should appear that he had no part of the trust-funds in his hands.

BRAXFIELD. Right; but, since the statute 1772, six years are allowed for the privileges of bills: formerly the time was uncertain. Indorsation is onerous, although for payment of former debts. If the indorsee knew of payments, it was fraudulent to take the bill; not so if he only knew that there were grounds of compensation.

PRESIDENT. The question is, When was the bill indorsed? As the contrary is not offered to be proved, it must be presumed to have been indorsed at the time mentioned by the respondents.

On the 7th February 1787, "The Lords decerned, in terms of the conclusions of the libel;" adhering to the interlocutor of Lord Rockville.

Act. Ch. Hay. Alt. G. Ferguson.